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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/239,487 01/28/99 CHU

A 99F7445US

EXAMINER

MMC2/0320

SIEMENS CORP
I P DEPT
186 WOOD AVENUE SOUTH
ISELIN NJ 08830

LE, D.
ART UNIT PAPER NUMBER

2816

DATE MAILED:

03/20/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/239,487

Applicant(s)

CHU et al.

Examiner

DINH LE

Group Art Unit

2816



☐ Responsive to communication(s) filed on _____.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-14 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-14 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☒ The proposed drawing correction, filed on May 10, 1999 is ☒ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Oath/Declaration

The declaration filed is acceptable.

Drawings

The drawings are approved.

Specification

The specification has been checked to the extent necessary to determine the presence of all possible minor errors. However, the applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections

Claim Rejections - 35 USC § 112

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Claims 1-14 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Correction or clarification is required.

In claim 1, the limitation "the leading edges" on line 7, "the trailing edge" on line 8, and "the first train" and "the second train" on lines 15-16 lacks antecedent basis. It is unclear what the "edge type" on line 9 and "selected time delay" are, how the time delay can be selected since no selecting means for performing the selecting function is recited in the claim, and how the delay locked loop comprising the variable delay line for providing the composite output train can be "responsive to one of the first train of pulses and the second train of pulses in the composite output train on lines 18-22. The same is true for claims 6, 10 and 12.

In claim 2, it is unclear how the logic network can perform the recited function since it is not connected to anything and how this network is read on the preferred embodiment or seen on the drawings.

In claim 4, the limitation "such gate" on line 8 lacks antecedent basis. The same is true in claim 6 for reciting "such control" on line 15 and for reciting "such receiver" in claim 10. It is unclear how the output pulses can pass through such gate to the phase comparator when it is not connected to the phase comparator. The same is true for claims 5, 8-9 and 11.

The remaining claims are dependent from the above rejected claims and therefore also considered indefinite.

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Allowable Subject Matter

Claims 1-14 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

These claims would be allowable because no prior art references show a delay locked loop comprising a logic network and a pulse generator.

Conclusion

The prior art reference cited on PTOL 892 shows a phase delay locked loop circuit. This reference is deemed to be relevant to the present invention and should be reviewed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Dinh Le whose telephone number is (703) 305-3790. The examiner can normally be reached on Monday to Friday from 7:00 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Callahan, can be reached on (703) 308-4876. The fax phone number for this Group is (703) 308-7725.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.



DINH LE
Primary Examiner
Art Unit: 2816

March 14, 2000